The Chicago Tribune.

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WASHINGTON.

A Lively Fight in the House Over the Northern Pacific Railroad Bill.

Further Debate on Jenckes' Civil Service Bill.

Senator Sherman's Tax Bill---Reductions Proposed.

Testimony in the Freedmen's Bureau Investigation.

Able Speech of Senator Morrill on the Osage Land Bill.

Special Despatch to The Chicago Tribune.

THE DISAGREEMENT AMONG THE DOCTORS.

WASHINGTON, D. C., May 5.—The Medical Association had a lively time this afternoon about the affairs of this District, and for an hour or more the proceedings were smaller by those of a ward meeting, when political excitement runs high. The Hon. Doctors kept it about all cheering, jeering, hissing, applauding after each fashion as rarely prevails among those who profess to be gentlemen, and it was evident enough that the effort to keep delegates here who are opposed to negro physicians did not fail. The question of seating the new delegates was finally involved with several other questions, and the final vote can, of course, be based on some one of those other issues, but everybody understands that but for the presence of the colored men there would have been no fuss. They and by a majority in determining the matter presented. Delegates from four or five hospitals or organizations were excluded by 38 majority, and among them were all the colored men. It is therefore settled that the American Medical Association this year SHALL NOT give its hand to the negro doctor.

FREEDMEN'S BUREAU INVESTIGATION.

In the Freedmen's Bureau investigation to-day, deeds were submitted showing that General Howard, as a private individual, had purchased a square of ground in this city for about $9,000, and held it in his own name. Subsequently he sold about half of it to the stockholders of a brick company, and deeded the rest to the St. Augustine Normal School, Raleigh, N. C. The deed was sent down by one of his aids and officers, and some cash added, the whole being contributed as aid extended to the Freedmen's Bureau to help the schools. After that, some $27,000 was expended from the refugee fund to grade down this square. The owner of the patent right of the brick machine has cross-examined, and claims that he has not characterized the material used in the university as worthless.

CITY POLITICS.

We have got three Republican candidates for Mayor in the field, and bold or clerician is about as much so that we are likely to have a red hot campaign for the next four weeks. Colonel Emery was put in the field some time ago by the Reform Republicans, so-called. To-day the regular nominating convention was held. The City Hall ring carried it by a large majority, and Colonel Wilson, the present Mayor, is the candidate. The Democrats are quiet to-day, with light transactions. Money is very easy, and there is a great abundance of National Bank currency. Gold is also very plenty, owing to exchange for greenbacks by paying a small premium.

THE UNITED STATES DISTRICT ATTORNEYSHIP.

There are several candidates for the United States District Attorneyship, the principal of whom are L. Woodford and B. K. Phelps. Judge Pierrepont has not yet returned from Washington.

The suit of James Fisk against the Union Pacific Railway and Credit Mobilier was argued in the United States Supreme Court this morning, after a motion to the State Court. No decision was made, involving the question of the jurisdiction of injunctions raised by Judge Barnard.

MUSICAL.

A Paris letter of April 23 says Adelina Patti will start soon for the United States, and on her return to Paris she will confine her singing to a private circle, which will be kept for her in the Champs Elysees.

POLITICAL.

Several political meetings were held to-night, and others are appointed for to-morrow and Saturday. The Democrats of the Second district have united in Young Democracy with the Monart organization and the Conservative Republicans, in a grand campaign against Logan.

[To the Associated Press.]

QUICK TIME FROM SAN FRANCISCO.

NEW YORK, May 5.—The steamship from San Francisco arrived this morning, in six days and twenty-three hours, the quickest time yet made across the continent.

Sales at the Fifth Avenue Bazaar, has been declared a free post by the Turkish Government.

In the American Medical Association to-day,

The Chicago Tribune.

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FRIDAY, MAY 6, 1870.

THE INCOME TAX LAW.

There can be no question that the law providing for a tax on incomes expires with the collection of the tax for the year ending December, 1869.

The act of 1864, imposing the income tax, provides:

"And the duty herein provided for shall be assessed, collected and paid upon the gains, profits, and income for the year ending the 31st day of December next preceding the time for levying, collecting, and paying said duty."—U. S. Statutes, vol. 13, page 281.

"That the taxes on incomes herein imposed shall be levied on the 1st day of March, and be due and payable on or before the 30th day of April in each year, until and including the year 1870, and no longer."—[U. S. Statutes, vol. 13, page 469.]

The act of 1865 on the same subject provides:

"That the duty herein provided for shall be assessed, collected, and paid upon the gains, profits, and income for the year ending the 31st day of December next preceding the time for levying, collecting, and paying said duty."—[U. S. Statutes, vol. 13, page 479.]

"That the taxes on incomes herein imposed shall be levied on the 1st day of March, and be due and payable on or before the 30th day of April in each year, until and including the year 1870, and no longer."—[U. S. Statutes, vol. 14, page 98.]

The act of 1866 provides:

"That the taxes on incomes herein imposed shall be levied on the 1st day of March, and be due and payable on or before the 30th day of April in each year, until and including the year 1870, and no longer."—[U. S. Statutes, vol. 14, page 137.]

It will be seen that the law provided that the income tax shall be levied in either March or May of each year, and that the tax shall be for the income of the year ending December 31, previous. Under this law, the tax upon the incomes of 1869, was levied March 1, 1870, and is now due and payable. But each law provided that no tax should be levied after March 1, 1870, except on the incomes of 1868. The law as to incomes accruing in any year subsequent to 1869, is defunct,—has expired by its own limitation. The Commissioner of Internal Revenue, notwithstanding this plain and evident fact, has been collecting the income tax since January, 1870, upon the salary of all persons engaged in the public service, and, of course, has been doing so without any legal authority. Some months ago, the payment of this unwarranted tax was objected to by some victim, and the Commissioner applied to the Committee of Ways and Means to legalize his conduct, which was, in effect, a confession that he was wrong, and that committee reported, and the House passed, a joint resolution in the following words:

"*Be it resolved, &c.*, That whereas doubts have arisen, and conflicting decisions have been made in the different departments of the government in regard to the construction of the laws providing for the tax on incomes, it is hereby declared to be the true intent and meaning of the laws relating to that subject, that all persons are liable to the payment of their proper income tax, whether salary, or source, for and during, and up to the end of the year 1870, and that such tax accruing in the year 1870, and remaining unpaid on the 1st day of February, 1871 may, during the month of February, 1871, be collected."

In the said last-mentioned year."

The Senate amended the joint resolution by striking out all after the resolving clause and inserting:

"That Section 120, 121, 122, and 123 of the act of June 30, 1864, entitled "An Act to provide internal revenue to support the government, to pay interest on the public debt, and for other purposes," as amended by the act of July 13, 1866, and the act of March 3, 1867, shall be construed to include the taxes therein mentioned for and during the year 1870, and that all such taxes shall be collected in the manner now or hereafter provided by law."

The joint resolution, passed by the House, amended to declare an act, which had expired by its own limitation, to have originally meant and provided that it should not expire at the time designated. The Senate amendment makes Congress resolve that the law shall be construed as imposing taxes for one year beyond the time which the law itself provides that such taxes shall be imposed.

In both cases, it is an attempt by Congress to revive a dead act by a simple declaration that it must be construed differently from what it expressly provides.

If Congress wants to continue the Income Tax law, it should re-enact the law, and not resort to the device of declaring black to be white. The whole difficulty, however, arises from the assumption of the Commissioner of Internal Revenue, who has been collecting a tax for five months after the expiration of the law imposing it, and, to cover up and legalize his proceeding, Congress finds it necessary to declare that a tax has not expired December 31, 1869, did not expire on that day, and will not expire for a year later.

THE LATEST FRENCH FARCE.

We have had elections in America where in minor issues were thrust forward and given a degree of importance to which they were not fairly entitled. Perhaps, however, the most flagrant attempt to befool the people and get them to vote against their own instincts and interests. But never, under any free government, was there enacted so audacious and transparent a farce as the present popular vote in France, called for by Napoleon III. Nor could it, by any possibility, be carried out there, had not the way been prepared for it by no vigorous exercise of prosecutions against the press that a large proportion of the editors of Paris have been in jail, first or last, and those of the provincial towns effectually gagged.

The only motive which can induce the Emperor to call for the *plebiscitum* at all is to secure a vote of the people in favor of the transmission of the crown to his son. But, were a vote called for on this point, squarely and fairly, it would imply that such a vote is essential to the legitimacy of his son's succession, whereas, with or without the vote, the imperial confidence man would be equally determined that his son should rule. The only game he has ever played with the French people is, "Heads, I win; tails, you lose." He therefore covers up and nearly buries the clauses of the *Senatus Consultum* which provide for the succession, under a mass of provisions relative to the powers of the Senate and the *Corps Legislatif*, and the order of legislation, which, he says, are designed to "extend liberty" by giving to France a constitutional government and Ministers responsible to the people. Then he goes before the people, to say what? Not to ask their opinion relative to his own power! "That," says the Emperor, cunningly, "would show distrust of the confidence reposed in me by the former vote of the people." Not specially to obtain their ratification of his son's succession, though that is incidentally included. But mainly, says the astute Emperor, "to enable me to extend liberty, to identify the empire with the people, etc." If the vote is "No," therefore, the Emperor construes it to mean that the people of France do not desire him to extend liberty, and he will, therefore, draw the veins more closely around his person, and strengthen his army and police, and devise new taxes, all in obedience to the sovereign people. Such a vote would not be permitted to denigrate from his son's right to the succession, for that is assumed, even in the *Senatus Consultum*, which is so framed as only to provide what shall become of the crown in the event of his son's death. But, in no event is the people necessarily sanction the assumption that the crown descends to the son.

Political ingenuity could go no further in he curious work of getting the popular vote for his policy, without allowing say vote to tell against it. The effect is seen in the fact that some of the workingmen of Paris have determined in their tradeunions to vote blank. Thiers and his adherents, and the "Irreconcilables," will vote "No." "Ah," says Napoleon, "those are the very parties that are opposed to the extension of liberty." "Not so," they may reply, "we oppose the transmission of the crown to your son—we oppose making the empire hereditary." "Ah," says Napoleon, "that question is not submitted. The whole vote of the people is only taken upon the question to whom the crown shall descend upon the death of my son. Whether the vote is yes or no, the crown will, of course, descend to my son!"

Practically, or unfortunately, a public vote in France should not be taken. There have been a dozen, since the revolution of 1789, until more or less be credited with all the rest. The most that can be said of any of them is that it has furnished an excuse to somebody to commit some species of outrage on popular rights, which outrage has been tolerated for a certain length of time. Then another plebiscitum is effectuated to plaster over a new swindle. It is, perhaps, an encouraging sign that, in order to get the present fraud ratified, it is found necessary to procure an assassination plot, and to alarm the people of invasion in order with a display of infernal machines at the critical juncture when the voting begins.

THE PUBLIC DOMAIN.

The National Capitol is now bursting with bills granting public lands to private corporations, in tracts of from one to fifty millions of acres, to build railroads, to run steamships, to lay cables, to construct harbors, to furnish water to cities, and, generally, to do anything not otherwise provided for. From the earliest days, the public lands were regarded as the property of the nation, to be held for the common benefit of all, and as a heritage for those who would subdue and cultivate them. The government, representing the people, occupied the position of a large landed proprietor. The public land was surveyed in all the organized States and offered for sale, or at private entry, at $1.25 per acre. In 1850 there were several millions of acres of land in Illinois which had been in market without purchasers over thirty years, and Congress adopted the policy of opening these to settlement as a donation of a small portion to the State, to be used in building a railroad on a prescribed line, the government advancing the price on the remainder, so that the revenue from the whole fabulous tract was unimpaired. The result was that the government got rid of those hitherto unsalable lands at par. In time, the same policy was extended to Iowa, Michigan, Wisconsin and Minnesota, the government, in every case, receiving the stationary value of the land. Then followed the policy of giving land to actual settlers, free of cost, thereby encouraging other settlements and bringing the whole under cultivation and production. Here the land-granting system ought to have stopped. With free land to all who would take it for purposes of cultivation, the government offered all the inducements which a healthy and properous extension of settlement required. But this was not enough. The policy of creating a market for lands actually surveyed, and offered to settlers at reasonable time without being taken, was changed, and a new policy—that of forcing settlement, in spite of emigration—was adopted. Beyond the organized States and Territories, extending from the British Possessions to the Mexican boundary, and from the Missouri River to the Pacific Ocean, was an extent of land which it required no prophet to foretell would, in time, become valuable, and be the seat of industry and production. To secure this land has been the constant aim of organized bands of sharpers and speculators, and, already, nearly 500,000,000 acres have been granted, in advance of survey, in advance of any need, and in advance of the slowest movement of actual settlers. This land has been seized by giant corporations, whose advertisements of their property are to be found, printed in every language, and circulated in every country of Europe, whose property do not follow, but limit, precede, actual settlers; and, when the latter come along in time, with their wagons and their families, they find that every eligible piece of land is held by some chartered company, to be sold when they have to pay a large sum per acre, often as much as is asked for ordinary land in more civilized and less remote parts of the country. In this way the public domain is frittered away. What we do not give to actual settlers we give to railroad corporations; or, instead of offering inducements to settlers, we are authorizing private corporations to tax them for the land. The government has ceased to receive any revenue, and actual settlers are compelled to pay from $2 to $6 per acre for the land, which, by statute, we nominally ask them to take for nothing. We build the railroads, and then give away the remaining lands. The Northern Pacific Railway has a grant of 47,000,000 acres of land, with the free use of all the coal, iron, stone and timber that may be found along the route, and the Senate yesterday passed a bill granting 7,000,000 acres of land for a branch or connecting road. Before the Northern Pacific Road is completed, the total grant of 50,000,000 acres will be duplicated for intersecting roads, and actual settlers under the Homestead law will be excluded from one-half of the whole region, fenced by these roads, or compelled to pay a land of the railroad companies. The government gets nothing by the operation.

It is said, and by men wise and experienced enough to know better, that these lands are now valueless, and that the true policy is to get rid of them by donations to those who will build railroads through them. This is a mistake—the mistake of supposing that everything pertaining to the present and future of this country must be done now, and by the men who are now in office. There is no more well known among railroad men as "skinning the road;" that is, by so running it as to get the greatest amount of immediate revenue from it to the neglect of the roadway, the deterioration of the rolling stock, the impairment, and all the substantial property of the company. This answers for a while, until it is discovered that an unsafe and broken track, dilapidated culverts, rickety bridges, crazy locomotives, and insufficient rolling stock are no longer endured, and that the calamities they occasion cost more, in the end, than was accumulated under the skinning process. So the Secretary of the Treasury is skinning theCountry, under the delusion that he is the agent appointed by Divine wisdom to pay off the public debt within his time, and that, if he should die, or resign, or be removed, there will be no one to pay off the debt. But the nation that land has been the constant aim of organized bands of sharpers and speculators, and, already, nearly 500,000,000 acres have been granted, in advance of survey, in advance of any need, and in advance of the slowest movement of actual settlers. This land has been seized by giant corporations, whose advertisements of their property are to be found, printed in every language, and circulated in every country of Europe, whose property do not follow, but limit, precede, actual settlers; and, when the latter come along in time, with their wagons and their families, they find that every eligible piece of land is held by some chartered company, to be sold when they have to pay a large sum per acre, often as much as is asked for ordinary land in more civilized and less remote parts of the country. In this way the public domain is frittered away. What we do not give to actual settlers we give to railroad corporations; or, instead of offering inducements to settlers, we are authorizing private corporations to tax them for the land. The government has ceased to receive any revenue, and actual settlers are compelled to pay from $2 to $6 per acre for the land, which, by statute, we nominally ask them to take for nothing. We build the railroads, and then give away the remaining lands. The Northern Pacific Railway has a grant of 47,000,000 acres of land, with the free use of all the coal, iron, stone and timber that may be found along the route, and the Senate yesterday passed a bill granting 7,000,000 acres of land for a branch or connecting road. Before the Northern Pacific Road is completed, the total grant of 50,000,000 acres will be duplicated for intersecting roads, and actual settlers under the Homestead law will be excluded from one-half of the whole region, fenced by these roads, or compelled to pay a land of the railroad companies. The government gets nothing by the operation.

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ON STRIKE.

Meeting of Coal Miners at St. Clair—Speech of Governor Bullock.

St. Clair, Pa. (May 2), Despatch to the Philadelphia Inquirer.

The coal miners and laborers of Schuylkill County, who are now on a strike, made a demonstration here to-day.

At 9 o'clock scouts of the Sheridan Guard, stationed at a few hours later twenty-two of them were in line. The most prominent of these were from Tamaqua, Mahanoy City, Shenandoah, Ashland, Girardville and St. Clair.

There were over 4,000 men and boys in the line, which was under the command of Mr. Hughes, assisted by Frederick Prosser, Chairman of the Workingmen's Benevolent Association. Flags, banners, and music were distributed in the parade. The line was headed by Governor Bullock, who, with Messrs. Prosser, Hughes, Palo Alto and Postsville bank, in St. Clair, where a stand was erected for the speakers, and all the laborers congregated in the afternoon.

This was called to order by Mr. Francis J. Filbert, who introduced Mr. John Hughes as Chairman. Upon assuming the position he addressed the audience, in which he expressed himself confident that the miners would carry their point, and then, in strong language, denounced the Governor of Pennsylvania for what he termed his action in sending troops there, especially that of Philadelphia, for not giving encouragement to this movement of the miners.

Messrs. John Foley, William Evans and John O'Brien also addressed the meeting in the German language, in which they asserted that the miners and laborers would not accept anything but the basis of 1869 or more than that was paid in 1870, without any attempt being made to create a reduction. They also spoke in the line of the rights of labor, and the necessity of the united action of the laboring men in order to sustain their cause. Throughout the delivery of these remarks the speakers were frequently applauded by their hearers.

Governor Bullock was then introduced amid a great laugh by Judge Leonard, and with his appearance on the platform was greeted with cheers. He addressed the audience in a humorous manner, and was frequently applauded by his hearers. He said he was glad to see so many present, and that he was pleased to see that the miners were not drinking, and that during a typhoon, some months previous, he had seen the sailors of the most inferior grade, those leaving last in an hour of supreme distress with but two boats to save their lives, refuse to go until every woman had been passed over the side, and a full complement of them, it is morally certain many more valuable lives would have been saved.

He (Governor Bullock) had come to Schuylkill County to see what was the matter, and to ascertain the cause of the trouble. He

THE LAW COURTS.

Decision in a Bankruptcy Case.

Unlawful Arrest—False Pretenses—Police Courts.

UNITED STATES DISTRICT COURT.

IMPORTANT BANKRUPTCY CASE.

A decision was made by Judge Blodgett in the case of Robert C. Jenkins, assignee in bankruptcy of Daniel J. DeBrot, v. Comstock Bros. The case was mentioned a few days ago in THE TRIBUNE, and is efficiently stated in the opinion, which was as follows:

Robert F. Jenkins, Assignee in Bankruptcy v. Comstock Bros.

This is a proceeding by petition, on the part of Jenkins as assignee in bankruptcy of Hudson, to set aside a certain transaction between the bankrupt and Mayer, the object of which petition is to compel the latter to pay the amount of certain moneys received in pursuance of the transaction complained of.

The facts disclosed by the evidence are substantially these: On the 20th day of May, 1869, DeBrot executed and delivered to A. H. Mayer a bill of sale of personalty as security for indebtedness and advances made by the latter to the former, and on the same day executed a chattel mortgage on the same property to secure the payment of the latter branch of their business, they had a "sale" of goods, which was in fact a mere pretense, and was intended for no such purpose. The sale was conducted by auction, and was begun on the 24th day of May, and continued for several days. A valuable picture, entitled "Good Words," to be given away to the purchaser of a certain number, was exhibited to the crowd. Henry & Hoffman were employed, and they continued to be employed until the 1st day of September or October following. The picture was sold for $1,000 to Hoffman, Hoffman left Chicago for the East, and on his return to Chicago, in September or October, he delivered the picture to A. H. Mayer, who had power to receive it. Mayer, in turn, delivered the picture to Comstock Bros., who are the present holders of it. Mayer, who had power to receive the proceeds of the sale of the goods, received from time to time, as the sales progressed, the moneys in the safe, and finally, on the 30th day of September, 1869, he received $1,000 in cash from Hoffman, and delivered to him the picture. Mayer, who had power to receive the proceeds of the sale of the goods, received from time to time, as the sales progressed, the moneys in the safe, and finally, on the 30th day of September, 1869, he received $1,000 in cash from Hoffman, and delivered to him the picture. Mayer, who had power to receive the proceeds of the sale of the goods, received from time to time, as the sales progressed, the moneys in the safe, and finally, on the 30th day of September, 1869, he received $1,000 in cash from Hoffman, and delivered to him the picture.

The decided cases disclose limitations of property to the separate use of the wife. In some of such cases it is apparent, because it is in such instances that the limitations usually appear, and it is apprehended, because such limitations are somewhat incompatible with a deed of purchase. No sufficient reason is perceived for denying to a feme sole the perfect liberty to do for her. If she makes provision for a separate and independent estate from the interference of a husband, such husband ought to acquiesce, and still more powerful that a husband, who else has any right to complain. The intention of Trustees is apparent, and it was supposed that the creation of a separate estate is the whole, but that question has now been settled in England. Then a distinction was sought to be drawn between married women as regards the creation of a separate estate, but that distinction has been abandoned by the courts. It does not appear that any distinction had ever before been made. Why to deny a husband the different methods of creating the separate estate? Why not by will, deed of gift or deed of purchase?

In the case of Wagner v. Wagner, 39 Penn. St., 390, there were deeds executed to the wife and a leasehold at the time of her marriage, and during the coverture she settled her to hold and enjoy as her own property, by giving notice and to claim the rents and profits to her own use, she paying the taxes and charges. Capital to the wife, and to claim the rents and profits to her own use, she paying the taxes and charges. Upon assuming the position he delivered an address which was highly complimentary to himself, and declared that the interests of the Republican party would be strong language, declared that the press of Philadelphia, for not giving him a favorable notice of the movement of the meeting.

Messrs. John Foley, William Keane and John O'Brien (all miners) then addressed the meeting, in which they asserted that the miners and laborers would not accept anything but the basis of 1869 in payment for their work, and that the Sheriff's sales would cease for a long time, and if worse came to worse they would resort to other means to obtain that end. The speakers were frequently applauded by their hearers.

Hon. David Mumma, a State Senator, made a lengthy address. He advocated peaceful action by all sections from the strongest to the weakest, and thought that labor and capital should work in harmony together. He spoke in condemnation of the gunpowder outrages and the Molly Maguire system of operations marching to their respective localities.

Regarding the present stoppage, the miners and laborers of Schuylkill County, who are now on a strike, made a demonstration here to-day. At 7 o'clock this morning the streets of Pottsville were thronged from all parts of the county, and a few hours later (twenty-two of them) a procession, consisting of fifteen hundred men in line, headed by the Pottsville Band, marched through the streets of Pottsville, Minersville, Lofsberry, Tamaqua, Mahanoy, Shen. Creek, Gilberton and St. Clair.

There were over 4,000 men and boys in the procession, all under the command of Mr. John Hassel, County Treasurer of the Workingmen's Benevolent Association. Flags, bearing various devices, were distributed in the parade. The miners were followed from here to Port Carbon, and through Also and Pottsville back to St. Clair, where a meeting was organized in the afternoon.

It was called to order by Mr. Francis J. Fagan, who nominated Mr. Thomas Kinney as President

CASUALTIES AND BRAKEMEN.

General Meeting of the Association—Its Grand Annual Program.

The United States Baggage Masters and Brakesmen's National Benefit Association, organized for the purpose of making provision for the families of deceased or injured members, held its annual meeting, yesterday morning, at Conley's Hall, on Clark street, between Lake and Randolph. It was called to order by the President, Mr. F. Wagner, and opened with prayer by Rev. Mr. Ford, of the Church of the Redeemer.

The following officers were present from the Organization's Grand Division:

President, D. Wallace; Secretary, Chelsea Centre; Treasurer, Fred. Wagner; Chaplain, Rev. Mr. Ford; Conductor, Burlington Railroad; Guard, Dennis Dolan; Milwaukee Railroad, Detroit, Mich.; Brakeman, Lafayette, New Albany & Chicago Railroad, Lafayette, Ind.; Brakeman, Chicago & Northwestern, city; A. M. Parker, Chicago & Northwestern, city; A. Parker, Chicago & Northwestern, city; A. Parker, Chicago & Northwestern, city; A